

Euler, 370 F. Supp. 2d 362, 366-67 (D. Md. 2005); Morgan, Inc. v. White Rock Distilleries, Inc., 230 F. Supp. 2d 104, 107 (D. Me. 2002).

Defendant points out that Plaintiff does not allege he registered the copyright, and has also provided materials (which may be considered under Rule 12(b)(1)) indicating Plaintiff has not registered the copyright. Plaintiff has not cured or otherwise addressed this jurisdictional defect despite being afforded ample time to do so. Therefore, the motion (Doc. # 26) is granted and this case is dismissed without prejudice due to a lack of jurisdiction.

IT IS SO ORDERED.

DATE: September 5, 2007

/s/ Ortrie D. Smith

ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT
COURT